

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

MARTIN SHKRELI,
EVAN GREEBEL,

Defendants.

Ind. No. 15 CR 637(S-1) (KAM)

DEFENDANT MARTIN SHKRELI'S REQUEST TO CHARGE

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Marc Agnifilo
Jacob Kaplan

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REQUEST TO CHARGE

Martin Shkreli respectfully requests that the Court charge the jury using the below instructions from Sand, Modern Federal Jury Instructions. In addition, Martin Shkreli reserves the right to request additional or different charges based on the trial evidence.

- a. Function of the Court, the Jury, and Counsel
- b. Role of the Court
- c. Role of the Jury
- d. Juror Obligations
- e. The Government as a Party
- f. Improper Considerations
- g. Publicity
- h. Jury to Consider Only This Defendant
- i. Indictment Is Not Evidence
- j. The Charges
- k. Consider Only the Charges

l. Multiple Counts – One Defendant

m. The Statutes

Count One: Conspiracy to Commit Securities Fraud
Title 18, United States Code, Sections 371

Count Two: Conspiracy to Commit Wire Fraud
Title 18, United States Code, Sections 1349

Count Three: Securities Fraud
Title 15, United States Code, Sections 78j(b) and 78ff;

Count Four: Conspiracy to Commit Securities Fraud
Title 18, United States Code, Sections 371

Count Five: Conspiracy to Commit Wire Fraud
Title 18, United States Code, Sections 1349

Count Six: Securities Fraud
Title 15, United States Code, Sections 78j(b) and 78ff;

Count Seven: Conspiracy to Commit Wire Fraud
Title 18, United States Code, Sections 1349

Count Eight: Conspiracy to Commit Securities Fraud
Title 18, United States Code, Sections 371

n. Sciento

o. Presumption of Innocence and Burden of Proof

p. Reasonable Doubt

q. Number of Witnesses and Uncontradicted Testimony

r. General Evidence Instructions

s. Charts and Summaries

t. Witness Credibility

- u. Law Enforcement Witness
- v. Good Faith Defense; and
- w. Reliance on Counsel Defense

Dated: New York, New York
April 21, 2017

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ben Brafman', written over a horizontal line.

Benjamin Brafman
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To: The Court (via hand delivery)
All Counsel (via ECF)